

09/153,831
REMARKS

Claims 1-10, 12-17 and 20-29 have been rejected under the judicial doctrine of double patenting over applicant's parent patent by itself or in view of Gefvert or Suzuki; claims 18-19 have been objected to as depending from rejected claims, and claims 1-10 and 12-29 have been objected to as lacking a formality. Reconsideration is respectfully requested in view of the amended claims and following considerations.

Independent claims 1, 2, 22 and 25 have been amended by inserting - - substantially - - before "preserved" in line 8 of claim 1, line 5 of claim 2, line 8 of claim 22 and line 6 of claim 25. This amendment to overcome the informality was also previously discussed with the examiner in a telephone interview on January 5, 2006, including the applicant and applicant's attorney.

With respect to all of the pending claims and the double patenting rejection of all but claims 18 and 19, a Terminal Disclaimer is attached disclaiming the period beyond the expiration of applicant's parent patent. In view of the above response, the application is now believed in order for allowance.